

PRESERVATION ACTION COUNCIL OF SAN JOSE

Dedicated to Preserving San Jose's Architectural Heritage

July 27, 2020

Transmitted via e-mail

San Jose General Plan 4-Year Review Task Force
City of San Jose
200 E Santa Clara Street
San Jose, CA 95113

Re: Opportunity Housing

Dear Task Force Chairs, Members, and City Staff,

The Preservation Action Council of San Jose welcomes this opportunity to comment on the Opportunity Housing policies now being explored by San Jose's General Plan 4-Year Review Task Force. In an effort to expand and diversify the stock of affordable housing in San Jose, Opportunity Housing zones would allow for the construction of up to four housing units on parcels currently zoned for single-family residences within targeted areas proximate to transit corridors and/or adjacent to existing multi-unit developments. As currently envisioned, these policies would include provisions to limit the displacement of current neighborhood residents and to protect against the demolition of historic resources. PAC*sj is generally in favor of both the overall goals of the Opportunity Housing concept and the general parameters of its inclusionary, preservation-sensitive framework. However, we see a number of significant issues and that must be resolved before any such program is effectively implemented.

Our primary concern is the current state of San Jose's Historic Resources Inventory (HRI). While we strongly support the concept of Opportunity Housing requiring the preservation and reuse of properties listed on the HRI, it is absolutely critical to first address the incompleteness, outdatedness, and general inadequacies of this inventory before the implementation of any Opportunity Housing program. The City of San Jose has never undertaken a comprehensive, citywide survey of historic resources, leaving many San Jose neighborhoods under-represented or entirely ignored by the HRI. Likewise, many of the City's existing surveys were conducted decades ago, long before historic resources from the 1950s-1970s were considered eligible for historic status. Therefore, it is critical that a viable strategy for updating the HRI

be implemented prior to the adoption of any Opportunity Housing program, especially for neighborhoods targeted as Opportunity Housing zones. Ideally this would be a robust survey effort that included significant public outreach to help identify important neighborhood characteristics, contributing building types, and architectural and cultural landmarks, with an emphasis on identifying and designating eligible Historic Districts and Conservation Areas. Though City staff acknowledge the need to update the HRI, this step is not currently proposed as a “long-term” action item in the recommended next steps for Opportunity Housing. PAC* SJ insists that this be a required condition of implementation.

Unfortunately, the City of San Jose has long underfunded historic preservation planning and is currently unequipped to undertake this critical endeavor. After the recent and unfortunate departure of Juliet Arroyo as San Jose’s Historic Preservation Officer, the City has suspended **all** historic resource survey initiatives, additions to the Historic Resource Inventory, and City Landmark designations until further notice. With **less than one** staff position dedicated to historic preservation for the 10th most populous municipality in the United States, San Jose lags woefully behind its peer cities in this regard. For example, Los Angeles (2nd in US population) has a preservation planning staff of **12**, Phoenix (5th) has a staff of **7**, San Antonio (#7) has a staff of **18**, Dallas (9th) has a staff of **10**! This is an unacceptable disinvestment in San Jose’s historic resources and represents a very significant obstacle to the expressed goals of the Opportunity Housing program.

After all, older and historic neighborhoods in San Jose already contain much of the city’s higher-density, more affordable, and transit-convenient housing stock. While local statistics are currently unavailable, a recent study of Los Angeles revealed that its historic neighborhoods are more diverse, higher-density, and more affordable for both renters and homeowners than non-historic areas of the city ([*Preservation Positive Los Angeles*](#), PlaceEconomics for the Los Angeles Conservancy, 2020). The same is likely true in San Jose. For the Opportunity Housing concept to succeed, it must avoid inadvertently incentivizing the demolition of the very housing stock it purports to support.

While we recognize that implementation parameters are still in early stages of development, we also seek clarification on a few important details of the proposed program. First, we are interpreting “HRI-listed” to include all Identified Structures, Structures of Merit, Contributing Structures to Conservation Areas and City Landmark Districts, as well as City Landmarks and Candidate City Landmarks. We are also assuming that non-contributing structures within Historic Districts and Conservation Areas would not be subject to the preservation requirements of the Opportunity Housing allowances. Are these interpretations correct?

Second, will there be a mechanism to prevent the preemptive demolition of HRI-listed structures in anticipation of Opportunity Housing eligibility? We suggest a clause similar to the rental property standard whereby HRI-listed properties that have been demolished within the past seven years would not qualify for the Opportunity Housing allowances.

Third, will design guidelines for each individual Opportunity Housing zone be created to reflect the unique contexts and conditions of each impacted neighborhood? If so, who will produce those guidelines and who will be responsible for design review?

Fourth, in the absence of a comprehensive Historic Resource Inventory update, would the Department of Planning, Building & Code Enforcement consider implementing an age-based discretionary review process whereby all homes constructed pre-1950 (or other appropriate date) be evaluated for HRI eligibility as part of the Opportunity Housing permit review process?

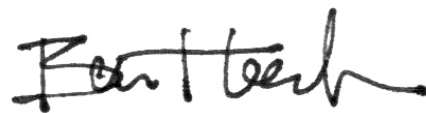
Fifth, given the unfortunate uncertainty surrounding public transit funding and the possible threat of future service cuts, will there be clear “frequency of service” standards for defining eligible transit corridors?

Finally, City staff’s June 25 overview memo outlines a proposed methodology for refining walkshed areas, including the application of “natural and human-made boundaries that separate neighborhoods (e.g. freeways and creeks) *and neighborhood boundaries or streets* to further refine these areas” (emphasis added). What are some specific scenarios where neighborhood boundaries alone were used to define walkshed boundaries, and why were these adjustments considered appropriate?

Sincerely,



André Luthard
President, Preservation Action Council of San Jose
General Plan Task Force Member



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